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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/929,118

08/14/2001

Chiung-Hsien Wu

TW 000006

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7590

08/17/2006

EXAMINER

LE, DANH C

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

ART UNIT

PAPER NUMBER

2617

DATE MAILED: 08/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/929,118

Applicant(s)

WU, CHIUNG-HSIEN

Examiner

DANH C. LE

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6, 8, 9 and 11-16 is/are rejected.
- 7) ☒ Claim(s) 5, 7 and 10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

- 1. Claims 1-4, 6, 8, 9, 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vo Vo (US 6,795,444) in view of Chang (US 6,963,972).**

As to claim 1, Vo teaches a method of transferring a communication session (figure 8, 9 and col.23, line 36-col.24, line 47) established between a content server (GK 298) and a mobile device (112A) in a first service area (802) of a communication network comprising a plurality of service areas (802, 804), each service area being associated with a transcoding proxy (GW1, GW3) for transcoding communication sessions established in said service area to and from a format suitable for the mobile device, the first service area being associated with a first transcoding proxy (GW1), the method comprising:

transferring the relaying of the communication session from the first transcoding proxy associated with a first service area of said plurality of services areas to a second transcoding proxy (GW3) associated with a second service area (804) from said plurality of service areas.

Vo fails to teach transcoding the content provided during a communication session.

Chang teaches transcoding the content provided during a communication session

(col.8, lines 12-32). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Chang into the system of Vo in order to transform the multimedia content to the second format.

As to claim 2, Vo teaches the method of claim 1, further comprising transferring session information (figure 9, step 1306) related to the communication session from the first transcoding proxy (GW1) to the second transcoding proxy (GW3).

As to claim 3, Vo teaches the method of claim 1, further comprising receiving from the mobile device (112A) a ready to transfer message (H.245 session) identifying the second transcoding proxy.

As to claim 4, Vo teaches the method of claim 3, further comprising suspending the communication session after the ready to transfer message has been received, and resuming the communication session after a resume message has been received from the mobile device (col.24, line 22-40).

As to claim 6, Vo teaches the communication system arranged for transferring a communication session (figure 8, 9 and col.23, line 36-col.24, line 47) established between a content server (GK 298) and a mobile device (112A) in a first service area (802) of a communication network comprising a plurality of service areas (802, 804), each service area being associated with a transcoding proxy (GW1, GW3) for transcoding communication sessions established in said service area to and from a format suitable for the mobile device, the first service area being associated with a first transcoding proxy (GW1), the communication system further comprising instructing means (354) for transferring the relaying of the communication session from the first

transcoding proxy to a second transcoding proxy (GW3) associated with a second service area (804) from said plurality.

As to claim 8, Vo teaches the communication system of claim 6, further comprising migration means for receiving from the mobile device a ready to transfer message identifying the second transcoding proxy (figure 9, step 1310).

As to claim 9, Vo teaches the mobile assistant server for use in the communication system of claim 6, comprising said instructing means (figure 9, step 1306).

As to claim 11, Vo teaches the transcoding proxy for use in the communication system of claim 6, comprising said instructing means (figure 9, step 1306).

As to claim 12, Vo teaches the transcoding proxy as claimed in claim 8, further comprising migration means for receiving from the mobile device a ready to transfer message identifying the second transcoding proxy (figure 9, H.245 session).

As to claim 13, Vo teaches the mobile device for use in the communication system of claim 8, comprising communicating means for communicating a ready to transfer message, identifying a second transcoding proxy, to said migration means (figure 9, step 1318).

As to claim 14, Vo teaches the mobile device of claim 13, further comprising transcoding proxy selection means for receiving one or more transfer reply messages from at least one transcoding proxy, choosing the second transcoding proxy from said at least one transcoding proxy based on said one or more transfer reply messages (col24, lines 22-47).

As to claim 15, Vo teaches the mobile device of claim 14, further comprising strength measuring means for comparing strengths of the respective signals comprising the one or more echo reply messages (col.20, lines 56-67).

2. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vo (6,795,444) and Chang (US 6,963,972).

As to claim 16, Vo and Chang teaches the mobile device of claim 13, Vo and Chang fails to teach further comprising storage means for storing a list of service areas and associated transcoding proxies. However, examiner takes Official Notice a list of service areas and associated transcoding proxies. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of storing a list of service areas and associated transcoding proxies into the system of Vo and Chang in order to enhance the system performance of the wireless telephony over a packet switched network.

Response to Arguments

Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection.

Allowable Subject Matter

Claims 5, 7, 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As to claims 5, 7 and 10, the prior arts fails to teach further comprising: receiving from the mobile device in the first service area a transfer request message,

determining a neighbor group comprising transcoding proxies associated with one or more service areas from said plurality, the one or more service areas being adjacent to the first service area, and forwarding the transfer request message to the transcoding proxies from the neighbor group, in response to which at least one of said transcoding proxies sends a transfer reply message to the mobile device.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

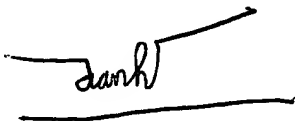
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANH C. LE whose telephone number is 571-272-7868. The examiner can normally be reached on 8:00AM-5:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM TROST can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



AUG 14 2006
DAN H. LE
PRIMARY EXAMINER